

REMARKS

This is a full and timely response to the final Office Action mailed by the U.S. Patent and Trademark Office on December 2, 2004. Claims 1-20 remain pending in the present application. In view of the following remarks, reconsideration and allowance of the present application and claims are respectfully requested.

I. Response to 35 U.S.C. § 102 Rejection – Claims 1-20

A. Statement of the Rejection

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0128837 to Morin (hereafter *Morin*).

B. Discussion of the Rejection

Applicants include herewith affidavits pursuant to 37 C.F.R. § 1.131 alleging a conception date prior to March 12, 2001, which is the filing date of *Morin*. Accordingly, Applicants respectfully request that the rejection under *Morin* be withdrawn.

Alternatively, Applicants respectfully traverse the rejection of claims 1-20 under 35 U.S.C. § 102(b) over *Morin* for at least the reason that *Morin* fails to disclose, teach, or suggest each element in the claims.

A proper rejection of a claim under 35 U.S.C. § 102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983). Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *See, e.g., In re Paulsen*, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). Alternatively, anticipation requires that each and every element of the claimed invention be embodied in a single prior art device or practice. *See, e.g., Minnesota Min. & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 24 USPQ2d 1321 (Fed. Cir. 1992). The test is the same for a process. Anticipation requires identity of the claimed process and a process of the prior art. The claimed process, including each step thereof, must have been described or embodied, either expressly or inherently, in a single reference. *See, e.g., Glaverbel S.A. v. Northlake Mkt'g & Supp., Inc.*, 45 F.3d 1550, 33 USPQ2d 1496 (Fed. Cir. 1995). Those elements must either be inherent or disclosed expressly. *See, e.g., Constant v. Advanced Micro-Devices, Inc.*, 848 F.2d 1560, 7 USPQ2d 1057 (Fed.

Cir. 1988); *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). Those elements must also be arranged as in the claim. *See, e.g., Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913 (Fed. Cir. 1989); *Carella v. Starlight Archery & Pro Line Co.*, 804 F.2d 135, 231 USPQ 644 (Fed. Cir. 1986). For anticipation, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *See, e.g., Scripps Clinic & Res. Found. v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ2d 1001 (Fed. Cir. 1991). Accordingly, the single prior art reference must properly disclose, teach or suggest each element of the claimed invention.

For at least the reason that *Morin* fails to disclose, teach, or suggest Applicants' method for entering predetermined text into an electronic device, comprising inserting the predetermined text portion into the information to be entered in the electronic device, as recited in claim 1, Applicants respectfully submit that *Morin does not* anticipate Applicants' independent claim 1.

Similarly, for at least the reason that *Morin* fails to disclose, teach, or suggest Applicants' system for entering predetermined text into an electronic device, comprising means for inserting the predetermined text portion into the information to be entered in the electronic device, as recited in claim 6, Applicants respectfully submit that *Morin does not* anticipate Applicants' independent claim 6.

Further, for at least the reason that *Morin* fails to disclose, teach, or suggest Applicants' computer readable medium having a program for entering predetermined text into an electronic device, the program comprising logic configured to perform the step of inserting the predetermined text portion into the information to be entered in the electronic device, as recited in claim 11, Applicants respectfully submit that *Morin does not* anticipate Applicants' independent claim 11.

Further, for at least the reason that *Morin* fails to disclose, teach, or suggest Applicants' system for entering predetermined text into an electronic device, comprising voice recognition software to recall the predetermined text portion that is associated with the voice portion, where the input element inserts the predetermined text portion associated with the information to be entered into the electronic device, as recited in claim 16, Applicants respectfully submit that *Morin does not* anticipate Applicants' independent claim 16.

Claim 1

For convenience of analysis, independent claim 1, as amended, is repeated below in its entirety. Independent claim 1 is also representative of claims 6 and 11, which will not be repeated.

1. A method for entering *predetermined* text into an electronic device, the method comprising:
 - entering a *predetermined* text portion into the electronic device;
 - storing the *predetermined* text portion in a memory;
 - recording a voice portion into the electronic device;
 - storing the voice portion in the memory;
 - associating the voice portion with the *predetermined* text portion;
 - using voice recognition to recall the *predetermined* text portion that is associated with the voice portion;
 - associating the *predetermined* text portion with information to be entered in the electronic device; and
 - inserting the *predetermined* text portion into the information to be entered in the electronic device.

(Applicants' independent claim 1, as amended - *emphasis added*.)

Applicants respectfully assert that *Morin* fails to disclose, teach, or suggest at least the emphasized elements of pending claim 1 as shown above. Consequently, claim 1 is allowable.

Specifically, *Morin* fails to disclose, teach, or suggest at least Applicants' method for entering predetermined text into an electronic device comprising "inserting the *predetermined* text portion into the information to be entered in the electronic device."

Morin appears to disclose a voice binding system that associates spoken commands of a user's choosing with the semantic path or sequence used to navigate through a menu structure associated with the electronic device. Specifically, *Morin* states that:

[t]o use the recognizer for voice binding textual feedback, the lexicon 38 is expanded to include text entries from a pre-defined vocabulary of words. When the voice binding database 44 is populated, the text associated with these recognized words would be stored as part of the voice command. This would allow the system to later retrieve those text entries to reconstitute (in text form) what the voice binding utterance

consists of. If desired, the electronic device can also be configured to connect to a computer network either by data table or wirelessly. This would allow the voice binding feedback capability to be implemented using a web browser.

See Morin, paragraph 0037.

From this, it is abundantly clear that *Morin* clearly describes a system that retrieves text associated with a voice command, but does not enter the retrieved text into a message.

In marked contrast to *Morin*, the present invention discloses a method for entering predetermined text into an electronic device comprising at least “inserting the ***predetermined*** text portion into the information to be entered in the electronic device.”

Indeed, Applicants’ system and method define and associate a portion of predetermined text with a voice utterance, and use the voice utterance to recall the associated text and insert the recalled text into a message, or other information to be entered. *Morin* merely appears to disclose a voice binding system that can recall text associated with a voice command.

Applicants respectfully disagree with the statement on page 4 of the Office Action that *Morin* discloses “step/means (16, dialing memory) of inserting the predetermined text portion into the information to be entered in the electronic device (see 0011), [0021].” Applicants respectfully submit that the dialing memory referred to in paragraph 0011 merely allows a user of a cell phone to scroll through a list of numbers and highlight and dial a selected number. Similarly, in paragraph 0021, *Morin* merely discloses using voice recognition to recall and enter a phone number to be dialed.

Applicants respectfully submit that nowhere does *Morin* disclose, teach or suggest Applicants’ claimed feature of “inserting the ***predetermined*** text portion into the information to be entered in the electronic device.”

Thus, *Morin* fails to disclose, teach, or suggest each element of the Applicants’ independent claims 1, 6 and 11. Consequently, Applicants respectfully submit that claims 1, 6 and 11 are allowable over *Morin* and request that the rejection of claims 1, 6 and 11 be withdrawn.

Because independent claims 1, 6 and 11 are allowable dependent claims 2-5, which depend directly from allowable independent claim 1, dependent claims 7-10, which depend directly from allowable independent claim 6, and dependent claims 12-15,

which depend directly from allowable independent claim 11 are also allowable. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 1-15 be withdrawn.

Claim 16

For convenience of analysis, independent claim 16, as amended, is repeated below in its entirety.

16. A system for entering *predetermined* text into an electronic device, comprising:

an input element for entering a *predetermined* text portion into the electronic device;

a first memory for storing the *predetermined* text portion;

a software code segment for recording a voice portion into the electronic device;

a second memory for storing the voice portion;

a software code segment for associating the voice portion with the *predetermined* text portion;

a software code segment for associating the *predetermined* text portion with information to be entered in the electronic device; and

voice recognition software to recall the *predetermined* text portion that is associated with the voice portion, where the input element inserts the *predetermined* text portion associated with the information to be entered into the electronic device.

(Applicants' independent claim 16, as amended - *emphasis added*.)

Applicants respectfully assert that *Morin* fails to disclose, teach, or suggest at least the emphasized elements of pending claim 16 as shown above. Consequently, claim 16 is allowable.

Specifically, *Morin* fails to disclose, teach, or suggest at least Applicants' system for entering predetermined text into an electronic device, comprising "voice recognition software to recall the *predetermined* text portion that is associated with the voice portion, where the input element inserts the *predetermined* text portion associated with the information to be entered into the electronic device."

As mentioned above, *Morin* appears to disclose a voice binding system that associates spoken commands of a user's choosing with the semantic path or sequence used to navigate through a menu structure associated with the electronic device. Specifically, *Morin* states that:

[t]o use the recognizer for voice binding textual feedback, the lexicon 38 is expanded to include text entries from a pre-defined vocabulary of words. When the voice binding database 44 is populated, the text associated with these recognized words would be stored as part of the voice command. This would allow the system to later retrieve those text entries to reconstitute (in text form) what the voice binding utterance consists of. If desired, the electronic device can also be configured to connect to a computer network either by data cable or wirelessly. This would allow the voice binding feedback capability to be implemented using a web browser.

See *Morin*, paragraph 0037.

From this, it is abundantly clear that *Morin* clearly describes a system that retrieves text associated with a voice command, but does not enter the retrieved text into a message.

In marked contrast to *Morin*, the present invention discloses a system for entering predetermined text into an electronic device, comprising at least "voice recognition software to recall the *predetermined* text portion that is associated with the voice portion, where the input element inserts the *predetermined* text portion associated with the information to be entered into the electronic device."

Indeed, Applicants' system is used to define and associate a portion of predetermined text with a voice utterance, and use the voice utterance to recall the associated text and insert the recalled text into a message or other information to be entered.

Morin merely appears to disclose a voice binding system that can recall text associated with a voice command.

Applicants respectfully disagree with the statement on page 4 of the Office Action that *Morin* discloses "step/means (16, dialing memory) of inserting the predetermined text portion into the information to be entered in the electronic device (see 0011], [0021]." Applicants respectfully submit that the dialing memory referred to in paragraph 0011 merely allows a user of a cell phone to scroll through a list of numbers

and highlight and dial a selected number. Similarly, in paragraph 0021, *Morin* merely discloses using voice recognition to recall and enter a phone number to be dialed.

Applicants respectfully submit that nowhere does *Morin* disclose, teach or suggest Applicants' claimed feature of "voice recognition software to recall the *predetermined* text portion that is associated with the voice portion, where the input element inserts the *predetermined* text portion associated with the information to be entered into the electronic device."

Thus, *Morin* fails to disclose, teach, or suggest each element of the Applicants' independent claim 16. Consequently, Applicants respectfully submit that claim 16 is allowable over *Morin* and request that the rejection of claim 16 be withdrawn.

Because independent claim 16 is allowable, dependent claims 17-20, which depend directly from allowable independent claim 16 are also allowable. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 16-20 be withdrawn.

CONCLUSION

For at least the foregoing reasons, Applicants respectfully request that all outstanding rejections be withdrawn and that all pending claims of this application be allowed to issue. If the Examiner has any comments regarding Applicants' response or intends to dispose of this matter in a manner other than a notice of allowance, Applicants request that the Examiner telephone Applicants' undersigned attorney.

Respectfully submitted,

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